

BDCP.Comments@noaa.gov (via email)

John Laird, Secretary
California Natural Resources Agency
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

David Murillo
Regional Director
U.S. Bureau of Reclamation
2800 Cottage Way
Sacramento, CA 95825

Mark Cowin, Director
California Department of Water Resources
P.O. Box 942836, Room 1115-1
Sacramento, CA 94236-0001

Ren Lohofener
Regional Director
U.S. Fish and Wildlife Service
2800 Cottage Way
Sacramento, CA 95825

Chuck Bonham, Director
California Department of Fish and Wildlife
1416 9th Street, 12th Floor
Sacramento, CA 95814

Will Stelle, Regional Director
National Marine Fisheries
Service
7600 Sand Point Way, NE,
Seattle, WA 98115-0070

May 16, 2014

Subject: BDCP Public Comments Time Extension Request

We are writing on behalf of the member organizations which are shown with this letter to request an extension for responding to the draft BDCP and draft EIR/EIS for BDCP. We request a minimum extension of 60 days which would extend the deadline into August, 2014. We are requesting this extension primarily so that the Implementation Agreement (IA) can be analyzed and commented on as an integral part of the plan, and coterminous with the EIR/EIS.

The Implementation Agreement is one of the foundational elements of this project and should succinctly describe the project's purpose; the project's financing plan; the project's biological goals; the project's operations; and the project's adherence to existing laws. Each of these elements is a mandatory requirement of a permissible project plan. The lack of the Implementation Agreement as an integral component of the project plan and the project's

environmental documents is a clear indication to us of a fundamentally flawed project.

It is the Implementation Agreement that defines obligations, provides assurances, ensures adequate funding, specifies responsibility for implementing measures, provides for enforcement and remedies for failure, and establishes the process for changes, among numerous other things. And these details reach into critical sections throughout the documents, from governance to finance to adaptive management to assurances to the very project description.

BDCP is incomplete without the IA because it does not specify any commitments the parties have made to fund and promote mitigation measures. As an impact analysis, the IA is required to be prepared concurrently with the EIS. Nevertheless, the parties to the BDCP have failed to produce even a draft IA specifying their individual commitments to ensuring the integrity of the project. This has resulted in the staggered or piecemeal environmental review that NEPA prohibits.

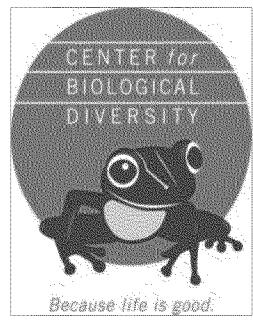
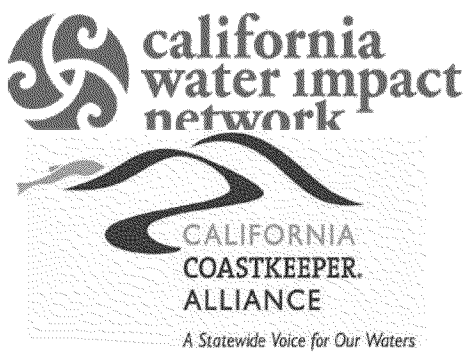
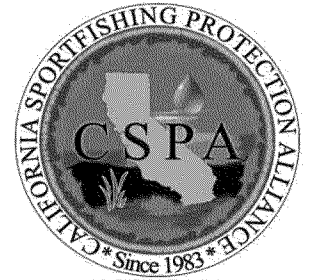
Finally, the BDCP has been described as the most complex HCP/NCCP permit application ever attempted. The integration of the IA with the EIR/EIS is essential, as is the time extension to adequately review and comment on the combined documents.

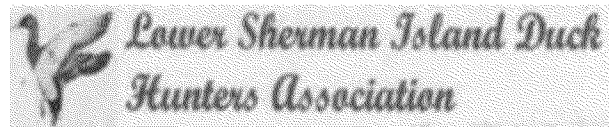
A handwritten signature in black ink, reading "Nick DiCroce". The signature is fluid and cursive, with a long horizontal stroke extending to the left.

Nick Di Croce, Co-Facilitator

ATTACHMENT TO EWC TIME EXTENSION REQUEST

MAY 16, 2014

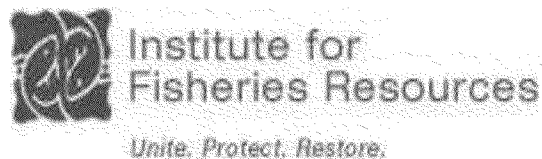




CA SA O S A S Co C



Tuolumne River Trust



SIERRA NEVADA ALLIANCE

NORTHERN CALIFORNIA COUNCIL



food&waterwatch



The following Environmental Water Caucus affiliated organizations support the comments and recommendations shown in the attached letter.

*Sara Aminzadeh
Policy Director
California Coastkeeper*

*Conner Everts
Executive Director
Southern California Watershed Alliance*

*Dan Bacher
Editor
Fish Sniffer*

*Laurel Firestone
Co-Director & Attorney at Law
Community Water Center*

*Colin Bailey
Executive Director
Environmental Justice Coalition for Water*

*Konrad Fisher
Executive Director
Klamath Riverkeeper*

*Barbara Barrigan-Parrilla
Executive Director
Restore the Delta*

*Zeke Grader
President
Pacific Coast Federation of Fisherman's Associations*

*Lloyd Carter
President
California Save Our Streams Council*

*Diana Jacobs
Chair, Board of Directors
Sacramento River Preservation Trust*

*Jennifer Clary
Water Policy Analyst
Clean Water Action*

*Bill Jennings
Executive Director
California Sportfishing Protection Alliance*

*Joan Clayburgh
Executive Director
Sierra Nevada Alliance*

*Carolee Krieger
Executive Director
California Water Impact Network*

*Jim Cox
President
California Striped Bass Association*

*Adam Keats
Senior Attorney
Center for Biological Diversity*

*Robyn DiFalco
Executive Director
Butte Environmental Council*

*Patrick Koepele
Executive Director
Tuolumne River Trust*

*Siobahn Dolan
Director
Desal Response Group*

*Roger Mammon
President
Lower Sherman Island Duck Club*

*Marty Dunlap
Citizens Water Watch*

*Jonas Minton
Senior Water Policy Advisor
Planning and Conservation League*

*Gary Graham Hughes
Executive Director
Environmental Protection Information
Center*

*Pietro Parravano
President
Institute for Fisheries Resources*

*Lynne Plambeck
Executive Director Santa Clarita for
Planning and the Environment*

*Kathryn Phillips
Director
Sierra Club California*

*Lowell Ashbaugh
Vice President, Conservation
Northern California Council Federation
of Fly Fishers*

*Adam Scow
California Campaign Director
Food and Water Watch*

*Linda Sheehan
Executive Director
Earth Law Center*

*Chief Caleen Sisk
Spiritual Leader
Winnemen Wintu Tribe*

*Cecily Smith
Executive Director
Foothill Conservancy*

*Esmeralda Soria
Legislative Advocate
California Rural Legal Assistance
Foundation*

*Craig Tucker
Karuk Tribe*

*Barbara Vlamis
Executive Director
AquAlliance*

*Eric Wesselman
Executive Director
Friends of the River*

